

COUNCIL FOR HEARING INSTRUMENT SPECIALISTS

MINUTES

Date: July 16, 2004

Time: 9:00 a.m.

Location: Cumberland Room, Ground Floor
Cordell Hull Building
425 5th Ave. North
Nashville, TN 37247-1010

Members Present: Dr. David Levy, AUD, Chairman
Thomas A. Stewart, Secretary
Dr. Robert E. Bowers, Council Member

Staff Present: Ms. Bonnie Ferrell, Administrator
Ms. Marva Swann, Unit Director
Ms. Robbie Bell, Director
Mr. Ernest Sykes, Advisory Attorney
Mr. Jerry Kosten, Rules Coordinator
Ms. Lea Phelps

The Council Chair, Dr. David Levy determined that a sufficient number of Council members were in attendance to constitute a quorum and called the meeting to order at 9:15 am.

Conflict of Interest

Mr. Sykes reviewed the Conflict of Interest Policy with the Council members.

Contested Case

The contested case of Mr. Gene Turpin was continued.

Dr. David Levy suggested that if necessary the Council could be called in to hear contested cases without waiting until the next scheduled meeting. Mr. Ernest Sykes stated that call meetings are only done in emergency situations and perhaps the Council would consider a two day meeting instead with cases heard on the second day. The Council agreed that a scheduled two day meeting would be fine. If there were no contested cases the Council would only stay the first day. The Council meetings will be scheduled this afternoon.

O.G.C. Report

Mr. Sykes presented the O.G.C. Report, stating that he had sent a letter to E-Bay Inc. to cease and desist in the sale of hearing instruments over the internet. If it becomes an ongoing problem the matter will be sent to the Attorney General's Office for further action.

Dr. Levy suggested sending a letter regarding postings on E-Bay to other State Licensing Boards. Mr. Sykes stated he would send it out immediately to all vendors as well.

Rules

The Council discussed and authorized a Rule Making Hearing regarding continuing education. Dr. Robert Bowers made a motion to grant two hours of continuing education to licensees that attend a complete Council Meeting. Mr. Thomas Stewart seconded the motion and the motion passed.

Mr. Bowers made a motion to expand what continuing education is allowable. Mr. Stewart seconded the motion and it passed.

The Council discussed and a roll call vote was taken to adopt the amendments that went to Rule Making Hearing on June 18, 2004 regarding alternative exams and deleting the signature requirements on photographs. Mr. Bowers made a motion to adopt, seconded by Mr. Stewart. The roll call vote was affirmative.

Ms. Robbie Bell presented the Disciplinary Guidelines and PC 575 to the Council for their approval. After review and discussion, Dr. Levy suggested that advertising should be moved to Harm as opposed to No Harm. Mr. Stewart made a motion to accept them with this one change, Mr. Bowers seconded the motion. The motion carried.

Minutes

Mr. Stewart made a motion to accept the minutes of the April 2, 2004 Council meeting as written. Mr. Bowers seconded the motion and the motion carried.

Examinations

Before breaking to administer exams, Dr. Bowers made a motion that Dr. Levy and Mr. Stewart develop a practical examination to be brought to the next Council meeting and given on the same day. Mr. Stewart seconded the motion and the motion carried.

The Council adjourned to administer examinations at 11:05am.

The Council reconvened at 1:00pm.

Investigative Report

Ms. Lea Phelps presented the investigative report to the Council. She stated that one (1) complaint had been closed and one (1) complaint had been sent to the Office of General Counsel. Investigations received one (1) complaint in June and have six (6) active complaints at this time.

Disciplinary Report

Ms. Phelps stated that there were no new disciplinary actions at this time.

Financial Report

Ms. Bonnie Ferrell presented the financial report to the Council stating that they were reducing their deficit and were in the black this quarter.

Administrator/Directors Report

Ms. Ferrell reviewed the report with the Council, informing the Council that she had drafted a Newsletter for Communications Disorders and Sciences/Council for Licensing Hearing Instrument Specialists. She hopes to have it mailed out this fall and requested the Council to inform her if there was anything of interest they would like to put in the letter.

Correspondence

A letter from the Siemens Rapid BET Xchange Program was presented for discussion. Mr. Sykes stated that the practice does not present a violation of the practice act with patients informed consent.

Ratification

Mr. Stewart made a motion to approve licensure to the following applicants:

Kenneth R. Haney - Apprentice

Parrish S. Harrell - Apprentice

Traci A. Knolton - Apprentice

Dr. Bowers seconded the motion and the motion carried.

Mr. Stewart made a motion to approve Reinstatement to the following licensees:

William E. Burden -

Dr. Bowers seconded the motion and the motion carried.

Mr. Stewart made a motion to deny Reinstatement to John N. Evans due to previous disciplinary action in the State of Texas. Dr. Bowers seconded the motion and the motion carried.

The Council approved the following dates for the 2004 and 2005 Council meetings:

October 28 and 29, 2004

March 17 and 18, 2005

August 4 and 5, 2005

November 3 and 4, 2005

There being no further Council business, Mr. Stewart made a motion to adjourn at 1:30 p.m. The motion was seconded by Dr. Bower and carried unanimously.

Dr. David Levy, Chair

Date

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